



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/766,790

01/27/2004

Scott Malat

14846-38

3985

28221 7590 05/15/2007
PATENT DOCKET ADMINISTRATOR
LOWENSTEIN SANDLER PC
65 LIVINGSTON AVENUE
ROSELAND, NJ 07068

EXAMINER

TAYLOR, BARRY W

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

05/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/766,790	Applicant(s) MALAT ET AL.	
	Examiner Barry W. Taylor	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-18 and 20-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-18 and 20-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 4 recites the limitation "visibility rules" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claims 20-21 recites the limitation "visibility rules" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-2, 4-18, and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lapeze et al (2004/0176973 hereinafter Lapeze) in view of Chun et al (2002/0184527 hereinafter Chun).

Regarding claim 18. Lapeze teaches a system for managing call reports, comprising:

a server (item 12 figure 1) configured to receive from a wireless device (item 18 figure 1) a message and information regarding a client matter (see figures 1-7, paragraphs 007 – 0012, 0014, 0016, 0036, 0037 – 0042, 0047, 0052, 0054, 0058 – 0064, 0078 wherein an attorney and his administrative assistant can jointly maintain the attorney's call list and make modifications to the data set using a RIM PDA or other wireless device), create a call report including the received message (paragraphs 007 – 0012, 0014, 0016, 0036, 0041, 0052, 0054, 0059 – 0069).

According to Applicants (see amendments to claims and remarks on pages 6-9, paper dated 4/30/07) Lapeze teaches visibility rules but not in conjunction with business rules the encapsulate legal and ethical requirements for allowing access to the client matter.

Chun just like Lapeze allows mobile users the ability to remotely access data files (title, abstract, paragraphs 0002 – 0012). Chun teaches an apparatus (see item 12 figure 1) used to allow business the ability to customize who has access and who can manipulate data between multiple databases having different formats (paragraphs 0010, 0022, 0023, 0025 – 0026, 0030, 0033, 0034) wherein the apparatus (item 12 figure 1) is

Art Unit: 2617

used to restrict access to different servers (see items 26, 28 and 30 in figure 1). Chun teaches using high-level rules to control access particular secured backend systems (paragraphs 0037). For example, Chun allows business rules to control which user, from where, at what time, data is accessed and modified (paragraphs 0039 – 0041, 0043, 0046, 0049, 0050 – 0053, 0077). Chen also shows using filtering data based on minimum need-to-know basis (e.g. data can be filtered in transit according to minimum visibility rules, business security models and mandated privacy regulations) thereby allowing files to be shared among business partners (paragraphs 0054, 0059, 0062, 0063 – 0066).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the server (item 12 figure 1) as taught by Lapeze to incorporate the business rules as taught by Chun to allow users the ability to customize access credentials that ensure visibility rules, business security models and mandated privacy regulations are followed when remote access and manipulations to data files is being conducted.

Regarding claim 20. Chun teaches wherein the visibility rules are adjustable (paragraphs 0010, 0023, 0046, 0050, 0054, 0077).

Regarding claim 21. Chun teaches wherein the visibility rules take into consideration whether the call report involves a sensitive subject (paragraphs 0010, 0023, 0046, 0050, 0054, 0077).

Regarding claim 22. Chun teaches wherein the information regarding the client matter includes a user-provided sensitivity indicator (see visibility rules and business security models in paragraph 0054).

Regarding program claim 23. Program claim 23 is rejected for the same reasons as system claim 18 since the recited system would perform the claimed program steps.

Regarding claim 1. Method claim 1 is rejected for the same reason as system claim 18 since the recited apparatus would perform the claimed method steps.

Regarding claim 2. Chun teaches wherein the visibility rules take into consideration whether the call report involves a sensitive subject (see visibility rules and business security models in paragraph 0054).

Regarding claim 4. Chun teaches wherein the visibility rules are adjustable (paragraphs 0010, 0023, 0046, 0050, 0054, 0077).

Regarding claim 5. Chun teaches wherein the information regarding the client matter includes a user-provided sensitivity indicator (paragraphs 0010, 0023, 0046, 0050, 0054, 0077).

Regarding claim 6. Lapeze teaches wherein the call report is at least partly based on a template (abstract, see "FonSheet" in figures 2-6, paragraphs 0007 – 0012).

Regarding claim 7. Lapeze teaches wherein the call report is remotely accessible (see Research In Motion Personal Digital Assistant - item 18 figure 1).

Regarding claim 8. Chun teaches users can access data via email (paragraph 0051).

Regarding claim 9. Lapeze teaches wherein the call report is accessible via the wireless network (see Research In Motion Personal Digital Assistant - item 18 figure 1 used to access call report from wireless network --- paragraph 0045).

Regarding claim 10. Lapeze teaches wherein the call report is accessible using a wireless device (see Research In Motion Personal Digital Assistant - item 18 figure 1 used to access call report from wireless network --- paragraph 0045).

Regarding claim 11. Lapeze teaches wherein the wireless device is browser-based (see Research In Motion Personal Digital Assistant - item 18 figure 1 used to access call report from wireless network --- paragraph 0045 wherein the RIM PDA is browser-based --- paragraphs 0041 – 0042, 0046 – 0048, 0051 – 0053, 58, 70, 76 and claims 50 and 52-56).

Regarding claim 12. Lapeze teaches wherein the wireless device includes an Internet connection (paragraphs 0006, 0041 – 0043, 0045, 0048, 0077 and claims 11 and 25).

Regarding claim 13. Lapeze teaches wherein the wireless device has an on-line mode and an off-line mode (paragraph 0012).

Regarding claim 14. Lapeze teaches wherein the message is entered using the wireless device in the off-line mode and automatically transmitted when the device is in the on-line mode (paragraph 0012).

Regarding claim 15. Lapeze teaches wherein the wireless device is in the off-line mode when a network connection is unavailable (paragraph 0012).

Regarding claim 16. Lapeze teaches wherein a list of contacts is displayed to a user (see claims 15, 16, 35 and 37).

Regarding claim 17. Lapeze teaches wherein the list of contacts is modifiable by the user (paragraphs 0002, 0006, 0007, 0012, 0014, 0015, 0017, 0020, 0027, 0030, 0062).

Response to Arguments

3. Applicant's arguments with respect to claims 1-2, 4-18 and 20-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2617

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

---(2007/0053367) Tyebji is considered pertinent for a wireless access gateway that allows users the ability to access enterprise backend systems wherein business rules/business logic are used to allow for different access rights (paragraphs 0003, 0006, see business rules in paragraph 0007 wherein president of business has different access rights than does a warehouse manager, see paragraphs 0022, 0028, 0059, 0067, 0070, 0077 wherein business rules are employed to control what information is provided to users screen, see paragraphs 0079, 0085 and 0096 wherein users can define values to indicate what can be displayed on remote device display screen, see section "c." of independent claim 13 wherein system uses "business rules engine".

---(2002/0107889) Stone et al also teaches customized reports wherein a owner of the data or the business transaction can define access rights of the language to be viewed --- (all transactions above or below a specific dollar amount). This allows the data owner to retain substantially more control over the data that the destination device can view (see all especially paragraph 0051). Stone even allows for business rule objects to be defined to further segregate or define authorization of one or more specific users or groups of users (paragraph 0054). See business rules defining "who may access the data" in claims.

---(6,832,366) Kouznetsov et al also teaches business rules defined to custom-configure, database-backend, remotely accessible applications wherein business rules may only allow a limited portion of data of the backend system to be viewed (abstract,

Art Unit: 2617

col. 1 lines 27-37, col. 2 lines 5-9, col. 2 lines 44-51, col. 4 lines 41-52, col. 5 lines 13-31,

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor, telephone number (571) 272-7509, who is available Monday-Thursday, 6:30am to 5pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost, can be reached at (571) 272-7872. The central facsimile phone number for this group is **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (571) 272-2600, the 2600 Customer Service telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Centralized Delivery Policy: For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the central fax number (571-273-8300).

Barry W. Taylor
Art Unit 2617


BARRY TAYLOR
PRIMARY EXAMINER